

**RECORD OF PROCEEDINGS
FORT LUPTON CITY COUNCIL/ENTERPRISE BOARDS
February 1, 2016**

The City Council of the City of Fort Lupton met in special session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the City Council, on Monday, February 1, 2016. Mayor Tommy Holton called the meeting to order at 7:00 p.m. and invited everyone to join him in the Pledge of Allegiance.

ROLL CALL

City Clerk Nanette Fornof called the roll. Those present were Mayor Tommy Holton, Mayor Pro Tem Chris Cross (arrived at 7:05p.m), Councilmembers Bob McWilliams, David Crespín, Shannon Rhoda and Zoe Stieber. Also present were City Administrator Claud Hanes, City Clerk Nanette Fornof, Finance Director Leann Perino and Chief Ken Poncelow.

PERSON TO ADDRESS COUNCIL

Jay Mendoza, United Power provided information to the Council regarding United Power moving from their current location to the Safeway Shopping Center. The Fort Lupton Chamber will be moving with them and the current location will be put up for sale. The anticipated move is to be the beginning of April or May.

APPROVAL OF AGENDA

It was moved by Shannon Rhoda and seconded by Bob McWilliams to approve the agenda as presented. Motion carried unanimously by a voice vote.

REVIEW OF FEBRUARY 1, 2016 PAYABLES

Council reviewed the February 1, 2016 payables. There were no questions or comments.

CONSENT AGENDA

It was moved by David Crespín and seconded by Bob McWilliams to approve the Consent Agenda as presented with the following items: 01042016 City Council Meeting Minutes, , Approving Resolution 2016-007, Ratify the City Administrator's Signature to Convert 8 Shares of Colorado Big Thompson From Temporary to Permanent for Northern Colorado Water Conservancy District (AM 2016-016), Adoption of Ordinance 2016-996, Amending Section 16-14 of the Fort Lupton Municipal Code (AM 2016-017), Ratify the City Administrator's Signature on Change Order #1 for Northern Colorado Contractors to Extend the Completion Date of the 14th Street Project (AM 2016-019), Approving Resolution 2016-005, Ratifying the Mayor's Appointment of the Committee Members to Various Committees (AM 2016-021), and Adopt Ordinance 2016-997, Amending Chapter 7 of the FLMC, Allowing Contained Backyard Bees as An Accessory Use in Single-Family Residential with a Permit (AM 2016-023)

Motion carried unanimously by a voice call vote.

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PUBLIC HEARING

AM 2016-020, Approving a Site Plan for 85 Pawn and Sales Located at 7853 Highway 85 and in a Portion of the East Half of the Northeast Quarter of Section 30, Township 2 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado

Mayor Holton opened the Public Hearing at 7:06 p.m.

Planning staff indicated that all public notification requirements were met, including publication of the Planning Commission and City Council public hearings in the Fort Lupton Press, sign posting on the property of the public hearings, notice of the hearings by mail to owners of the property within a 100 feet of the subject property.

The applicants, Manuel and Anita Balderas, submitted a final site plan application for a property located at 7853 Highway 85 in a Portion of the East Half of the Northeast Quarter of Section 30, Township 2 North, Range 66 West of the 6th P.M., City of Fort Lupton, County of Weld, State of Colorado. The property is located within the I-2 Heavy Industrial zone district and the proposed use complies with this zoning classification.

The application is for a proposed new building that will be used for an auto pawn and sales business. This will be an additional building on the property, which currently has a single family residence and two garages. The property is currently used by MB Auto Sales & Salvage for secure storage for law enforcement agencies and this site plan was approved by City Council in 2013. MB Auto Sales & Salvage will continue to operate as previously approved, with the new proposed business being an additional use on the property.

Planning Commission held a public hearing on January 19, 2016, and recommended approval of the proposed final site plan via Resolution P2016-001.

The applicant was presented and available to answer any questions. There was a question regarding the septic systems.

There being no further questions from Council, the public hearing was closed at 7:08 p.m.

It was moved by Bob McWilliams and seconded by Zoe Stieber to approve RESOLUTION 2016R006, A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING A SITE PLAN FOR 85 PAWN AND SALES LOCATED AT 7853 HIGHWAY 85 AND IN A PORTION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 NORTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

Motion carried unanimously by a roll call vote.

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ACTION AGENDA

AM 2016-014, Approve an Intergovernmental Agreement with Weld County for Funding of the 14th Street Project in the Amount of \$150,000

The City applied for a Department of Local Affairs grant to install storm sewer, sewer, water, and paving of 14th Street between Highway 85 and Denver Avenue. Department of Local Affairs awarded the grant, however they lowered their share of funding for the project. The Mayor approached Weld County to assist in funding this project because of the county traffic on the proposed roadway. The Board of County Commissioners gave temporary approval to fund \$150,000 towards this project.

The proposed Intergovernmental Agreement (IGA) gives our acceptance of this contribution as well as authority for Weld County to fund the project.

It was moved by David Crespin and seconded by Zoe Stieber approving the proposed IGA with Weld County and authorizing the Mayor to sign such agreement for an amount of \$150,000 to the 14th Street Project. Motion carried unanimously by a roll call vote.

AM 2016-015, Approve the Purchase of the Following Cardio Fitness Equipment From Advanced Exercise Equipment Two (2) Treadmills and Two (2) Recumbent Bikes and One (1) Upright Bike for an Amount Not to Exceed \$18,050

The Recreation Center is working on replacing cardio equipment per the replacement schedule. The schedule indicates there will be several pieces of equipment needing to be replaced over a five year period.

The schedule calls for replacing two (2) treadmills, two (2) recumbent bikes and one (1) upright bike at this time. The heavily used Life Fitness treadmill machines have accumulated the most mileage and need replaced first. The Life Fitness bikes are especially in need of replacement. Advanced Exercise Equipment is the local distributor of the Life Fitness machines. Life Fitness makes the top of the line treadmills and bikes. The Recreation Department will be receiving a trade-in on the machines as well, but would like to offer them for sale through the department first. If the amount of a trade-in value is not received the department will trade them in at that point. The trade-in for the recumbent bikes are \$400.00 each, upright bike is \$300.00 and treadmills are \$650.00. All of the pieces being replaced was originally bought in 2004. The request replaces the same models and styles the center currently offers for an amount not to exceed \$18,050, which includes installation and freight.

It was moved by Chris Cross and seconded by David Crespin approving the purchase of Cardio Fitness Equipment from Advance Exercise Equipment for an amount not to exceed \$18,050, allocated from the Recreation Fund.

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AM 2016-018, Approve Resolution 2016Rxxx Accepting an Annexation Petition for the Fulton Village Annexation Submitted by Fulton Village, LLC, James Lambert and Barbara Lambert (The Landowners) and to Set a Public Hearing Date for March 28, 2016

Staff indicated James and Barbara Lambert, owners of Fulton Village, LLC, submitted an annexation petition to initiate annexation proceedings for a property located east and adjacent to S. Fulton Avenue and between Lone Pine Street and Kahil Street in Weld County, Colorado. The proposed annexation is known as the Fulton Village Annexation and totals 12.056 acres, more or less. The proposed zoning is to PUD Planned Unit Development.

The initiating resolution is the first step in the annexation process and is to accept the annexation petition and initiate the two-month (60) day review process that involves, staff, referral agencies, Planning Commission and City Council. The resolution also sets the public hearing date to consider the annexation. If Council adopts the resolution to accept the petition, the petitioners will move on to the next step, which is the review of the proposed annexation, initial zoning, and submitted application documents by the Development Review Team (DRT). Step three is a public hearing on March 28, 2016 and review of the same by the Planning Commission who will provide Council with a recommendation. City Council is then required to act upon the request by ordinance at the public hearing, which is the final step in the process.

State law and the Fort Lupton Municipal Code require the City Council to set a hearing date for the annexation request (Municipal Code Chapter 15). The Council hearing date must not be less than 30 days and not more than 60 days from the date of the resolution of substantial compliance. Staff recommends that the date for the City Council public hearing be set for March 28, 2016. The Planning Commission will conduct a public hearing and make a recommendation on March 8, 2016. Note that the proposed public hearing date of March 28, 2016 is not a regularly scheduled City Council meeting date. In order to meet the requirement to hold a public hearing within 60 days of acceptance of the petition, staff requests that a special meeting be held.

It was moved by Zoe Stieber and seconded by Chris Cross to approve Resolution 2016R008, A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON INITIATING ANNEXATION PROCEEDINGS FOR AN ANNEXATION KNOWN AS THE FULTON VILLAGE ANNEXATION AND SETTING A PUBLIC HEARING. Motion carried unanimously by a roll call vote.

AM 2016-022, Ratify The Mayor's Signature on an Agreement with PTI Group USA, LLC dba Civeo Canada Inc. to Service both Water and Wastewater Services for Man Camps

The City negotiated an agreement with Mountain West Oilfield services to provide water and processing the wastewater from man camps located at well sites in the area in 2013 and council approved the agreement with AM 2013-102. We have been contacted by Civeo Canada Inc., which acquired Mountain West and would desire to facilitate the same arrangement that we approved with Mountain West. They have self-contained living units where fresh water is put into a holding tank, and wastewater is contained at the other end of the units. Oilfield workers live on site in these units which include all necessary living quarters for them including kitchen

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facilities, bathroom, and laundry facilities. The water will be sold to them at our approved bulk water rate of \$10/thousand, and the waste water processing will be charged at the rate of 20 cents per gallon. Michael Rousey from OMI has been involved to assure that what waste that will be incoming into the plant will meet specific monitoring levels with sampling provided.

It was moved by Zoe Stieber and seconded by Bob McWilliams ratifying the Mayor's signature and approving the agreement with PTI Group USA, LLC dba Civeo Canada Inc. for services used by Man Camps. Motion carried unanimously by a roll call vote.

AM 2016-024, Approve an Agreement Between the Town of Hudson and the City of Fort Lupton Regarding the Use of the Fort Lupton Recreation Center for Hudson Residents Being Subsidized by the Town of Hudson for the Difference Between Resident and Non Resident Rates for Admissions or Passes, Including a \$1000.00 Administration Fee

The proposed agreement will allow Hudson residents the use of the Fort Lupton Recreation Center at the City of Fort Lupton residential fee. The Town of Hudson will be supplementing the cost up to the non-resident rate on admissions or passes in addition to a \$1,000 annual administrative fee.

It was moved by Chris Cross and seconded by David Crespin to approve the Intergovernmental Agreement with the Town of Hudson; allowing Hudson's residents use of the Fort Lupton Recreation Center at a rate set forth in the IGA. Motion carried with Councilmember Bob McWilliams voting "nay" to the motion.

AM 2016-025, Proposed Land Lease Agreement Between the Colorado State Land Board and the City of Fort Lupton for the Property Located at the Southeast Corner of Weld County Roads 16 and 35

The Colorado State Land Board owns a 120 acre parcel of land located at the southeast corner of Weld County Roads 35 and 16. This land is currently being leased for cattle grazing. The City of Fort Lupton is interested in obtaining a 20 year lease on the property, annexing it into the city, and constructing and operating a public shooting sports complex on the property. This shooting sports complex would serve shooting and archery enthusiasts throughout northern Colorado and local, state, and federal law enforcement agencies. Additionally, it would be used by the Colorado National Guard for training and qualifications. It would also provide a revenue stream for the Colorado State Land board and ultimately for the children of Colorado which far exceeds the current revenue being generated by the lease of the land for the next 20 years.

This proposal will be presented to the Colorado State Land Board on February 10, 2016.

It was moved by Zoe Stieber and seconded by Chris Cross approving the proposed land lease agreement with Colorado State Land Board for the construction and operations of a shooting sports complex. The motion carried unanimously by a roll call vote.

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AM 2016-026, 2016 Colorado Department of Parks and Wildlife Grant for the Construction of a Shooting Sports Complex

The City of Fort Lupton is submitting a grant to the Colorado Department of Parks and Wildlife to partially pay for the construction of a shooting sports complex to be located at the southeast corner of Weld County Roads 16 and 35. This complex will be operated by the City of Fort Lupton as a city enterprise. This proposal will be presented to the Colorado Department of Parks and Wildlife on February 8, 2016.

This endeavor would create a self-sustaining, self-funding sporting enterprise for the residents of Fort Lupton and Northern Colorado. Individuals coming to shoot at the shooting sports complex would utilize other services in the city which would provide additional tax revenue.

The shooting sports complex would be primarily funded through grants from entities like the Colorado Department of Parks and Wildlife and the National Rifle Association. The "match" for these grants would be made through existing resources.

As per the proposed agreement with the Colorado State Land Board the lease for the property is \$2500.00 annually or 6% of the gross income from the complex for the first 5 years and \$5,000.00 annually or 6% of the gross income from the complex in years 6 through 20.

The matching grant funds would come from the land, soil that the city has stored at the water plant, other matching resources, and donated man power and equipment. Total amount requested in the grant is \$1,880,165.00, in-kind match for the grant is \$1,895,012. Total projected cost for the shooting sports complex is \$3,775,177.

It was moved by Zoe Stieber and seconded by Bob McWilliams authorizing the submittal of a Colorado Department of Parks and Wildlife grant for a shooting sports complex. Motion carried unanimously.

STAFF REPORTS

Finance Director stated the auditor's will be reviewing the 2015 City Financials, the end of March.

MAYOR/COUNCIL REPORTS

Mayor Holton made a challenge to a small town in North Carolina; the challenge was if the Denver Broncos win the Super Bowl, the Mayor would need to wear a Bronco Jersey during a council meeting and if the North Carolina won the games, Mayor Holton would wear a Panther jersey during one our council meeting. Go Broncos, they did win the Super Bowl and Mayor Holton found the most ugly Bronco jersey to send. Pictures will follow.

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Councilmember Shannon Rhoda stated several staff members and herself met with the Boys and Girls Club of Greeley staff to discuss the financials of the club. The meeting went well and they will be clarifying some of the reports and present at a later date.

FUTURE CITY EVENTS

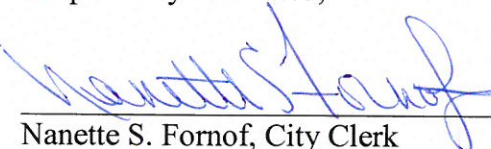
February 10, 2016	Town Hall Meeting – Mulligan Joe’s Sports Grill – 815 7 th Street - 6:30 p.m.
February 15, 2016	City Offices Closed in Observation of President’s Day
February 24, 2016	Town Hall Meeting – 130 South McKinley Avenue – 6:30 p.m.

ADJOURNMENT

It was moved by Bob McWilliams and seconded by Zoe Stieber to adjourn the February 1, 2016, at 7:25 p.m.

Motion carried on voice vote.

Respectfully submitted,



Nanette S. Fornof, City Clerk

Approved by City Council



Tommy Holton, Mayor

